

03-01-07

Attorney's Docket No.: 14022-011001 / 00769



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Billiar et al.

Art Unit : 1618

Serial No. : 10/676,280

Examiner : Blessing M. Fubara

Filed : September 30, 2003

Conf. No. : 7071

Title : TREATMENT FOR HEMORRHAGIC SHOCK

**MAIL STOP AMENDMENT**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Applicants request consideration of the references listed on the attached PTO-1449 form. Under 37 C.F.R. § 1.98 (a)(2)(ii), only copies of foreign patent documents and/or non-patent literature are enclosed. Copies of any listed U.S. patents or U.S. patent application publications can be provided upon request.

Applicants also request consideration of the enclosed three Office Actions, which were issued by the U.S. Patent and Trademark Office in U.S. Serial Nos. 10/053,535, 10/413,817 and 10/439,632. As applicants informed the Office in their Information Disclosure Statement (IDS) filed December 23, 2004, these three applications have overlapping inventorship with the above-referenced application.

This statement is being filed after a first Office action on the merits, but before receipt of a final Office action or a Notice of Allowance. A check for \$180 in payment of the late submission fee of §1.17(p) is enclosed.

03/02/2007 AAD0F01 00000009 10676280

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## CERTIFICATE OF MAILING BY EXPRESS MAIL

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Date of Deposit

February 28, 2007

Applicant : Billiar et al.  
Serial No. : 10/676,280  
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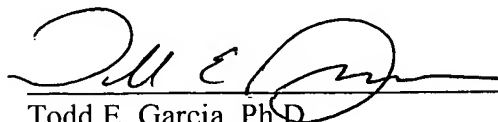
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Respectfully submitted,

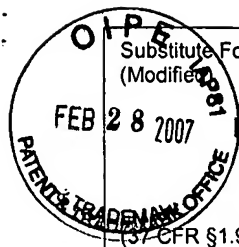
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(Modified)U.S. Department of Commerce  
Patent and Trademark OfficeAttorney's Docket No.  
14022-011001Application No.  
10/676,280**Information Disclosure Statement  
by Applicant**

(Use several sheets if necessary)

(37 CFR §1.98(b))

Applicant  
Billiar et al.Filing Date  
September 30, 2003Group Art Unit  
1618**U.S. Patent Documents**

Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
	A1	5,498,421	Mar. 12, 1996	Grinstaff et al.			
	A2	7,045,140	May 16, 2006	Motterlini et al.			
	A3	2005/0215468	Sep. 29, 2005	Bar-Or et al.			
	A4						

**Foreign Patent Documents or Published Foreign Patent Applications**

Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation	
							Yes	No
	B1	WO 02/078684	10/10/2002	WIPO				

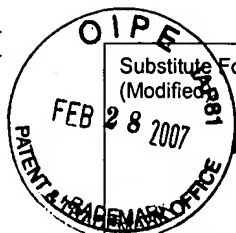
**Other Documents (include Author, Title, Date, and Place of Publication)**

Examiner Initial	Desig. ID	Document
	C1	Allred et al., "Effects of Carbon Monoxide on Myocardial Ischemia," Environmental Health Perspectives 91:89-132 (1991)
	C2	American Thoracic Society, "Single breath carbon monoxide diffusing capacity (transfer factor): recommendations for a standard technique," Am. Rev. Respir. Dis. 136:1299-1307 (1987)
	C3	American Thoracic Society, "Single breath carbon monoxide diffusing capacity (transfer factor): recommendations for a standard technique-1995 update," Am. J. Respir. Crit. Care. Med. 152:2185-2198 (1995)
	C4	Arcasoy et al., "Erythropoietin (EPO) Stimulates Angiogenesis In Vivo and Promotes Wound Healing," Blood 98:822A-823A, Abstract (2001)
	C5	Caplan et al., "Role of asphyxia and feeding in a neonatal rat model of necrotizing enterocolitis," Pediatr. Pathol. 14:1017-1028 (1994)
	C6	Czlonkowska et al., "Immune processes in the pathogenesis of Parkinson's disease - a potential role for microglia and nitric oxide," Med. Sci. Monit. 8:RA165-RA177 (2002)
	C7	Goldberg and Schneider, "Similarities between the oxygen-sensing mechanisms regulating the expression of vascular endothelial growth factor and erythropoietin," J. Biol. Chem. 269:4355-359 (1994)
	C8	Guo, "The Research Status of the Gas Messenger Molecules of Nitric Oxide and Carbon Monoxide in the Biomedicine Field," Practical Journal of Cardiac, Cerebral and Pulmonary Vascular Diseases Vol. 8(2) (2000) (English translation included)
	C9	Harmey and Bouchier-Hayes, "Vascular endothelial growth factor (VEGF), a survival factor for tumour cells: implications for anti-angiogenic therapy," Bioessays 24:280-83(2003)
	C10	Josko, "Vascular endothelial growth factor (VEGF) and its effect on angiogenesis," Medical Science Monitor 6:1047-52 (2000)
	C11	Krause et al., "Recombinant human erythropoietin and VEGF have equal angiogenic potency: Investigation in a novel in vitro assay of human vascular tissues," European Heart J. 22:154 Abstract (2001)

Examiner Signature

Date Considered

EXAMINER: Initials citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



Substitute Form PTO-1449

U.S. Department of Commerce  
Patent and Trademark OfficeAttorney's Docket No.  
14022-011001Application No.  
10/676,280**Information Disclosure Statement  
by Applicant**

(Use several sheets if necessary)

(37 CFR §1.98(b))

Applicant  
Billiar et al.Filing Date  
September 30, 2003Group Art Unit  
1618**Other Documents (include Author, Title, Date, and Place of Publication)**

Examiner Initial	Desig. ID	Document
	C12	Mazzola et al., "Carbon monoxide pretreatment prevents respiratory derangement and ameliorates hyperacute endotoxic shock in pigs," FASEB J. 19:2045-2047 (2005).
	C13	Omaye, "Metabolic modulation of carbon monoxide toxicity," Toxicol. 180:139-150 (2002)
	C14	Potter et al., "The inflammation-induced pathological chaperones ACT and apo-E are necessary catalysts of Alzheimer amyloid formation," Neurobiology of Aging 22:923-30 (2001)
	C15	Shahin et al., "Carboxyhemoglobin in pediatric sepsis and the systematic inflammatory response syndrome," Clinical Intensive Care 11(6):311-17 (2000)
	C16	Stewart, "The effect of carbon monoxide on humans," J. Occup. Med. 18:304-309 (1976)
	C17	Stewart, "The effects of low concentrations of carbon monoxide in man," Scand. J. Respir. Dis. Suppl. 91:56-62 (1974)
	C18	Thiemermann, "Inhaled CO: deadly gas or novel therapeutic," Nature Medicine 7(5): 534-35 (2001)
	C19	Vreman et al., "Carbon monoxide and carboxyhemoglobin," Adv. Pediatr. 42:303-34 (1995)
	C20	Wright and Shephard, "Physiological effects of carbon monoxide," Int. Rev. Physiol. 20:311-68 (1979)
	C21	Zegdi et al., "Increased endogenous carbon monoxide production in severe sepsis," Intensive Care Medicine 23:793-96 (2002)
	C22	Zuckerbraun et al., "Carbon monoxide protects against liver failure through nitric oxide-induced heme oxygenase 1," The Journal of Experimental medicine, (2003), 198(11):1707-1716.

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